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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 JONATHAN CROWELL, on plaintiff's own behalf  
and on behalf of all others similarly situated,

14 Plaintiff,

15 v.

16 DAVID H. MCCORMICK, ROBERT M.  
17 CALDERONI and Ariba, Inc.,

18 Defendants.  
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Case No.: 3:06-CV-05575-MHP

Assigned to Hon. Marilyn Hall Patel

JOINT STIPULATION AND ~~PROPOSED~~  
ORDER EXTENDING TIME FOR  
DEFENDANTS DAVID H. MCCORMICK,  
ROBERT M. CALDERONI AND ARIBA  
INC. TO RESPOND TO AMENDED  
COMPLAINT

STIP TO EXTEND TIME FOR DEFS TO  
RESPOND TO AMENDED CMPLT; [P] ORDER

CASE NO. 3:06-CV-05575-MHP

262259

1 WHEREAS, Plaintiff filed the Amended Complaint for Violations of Federal  
2 Securities Laws (the "Amended Complaint") in this matter on November 30, 2006;

3 WHEREAS, pursuant to this Court's Standing Orders, Defendants David H.  
4 McCormick, Robert M. Calderoni and Ariba Inc. may not file a motion to dismiss prior to the  
5 initial Case Management Conference currently scheduled for January 29, 2006, except by leave of  
6 court;

7 WHEREAS, pursuant to their previous stipulation, the parties agree that they will  
8 meet and confer to establish a mutually agreeable briefing schedule to file a responsive pleading to  
9 the Amended Complaint;

10 WHEREAS, the parties agree to propose such briefing schedule to the Court at the  
11 initial Case Management Conference;

12 NOW THEREFORE, the parties by and among their undersigned counsel, hereby  
13 jointly stipulate and request the Court order as follows:

14 1. Defendants McCormick, Calderoni and Ariba, Inc.'s time to file a  
15 responsive pleading to the amended complaint is extended until after the initial Case Management  
16 Conference currently scheduled for January 29, 2006.

17 2. Plaintiff and Defendants shall meet and confer prior to the initial Case  
18 Management Conference to establish a mutually agreeable briefing schedule for Defendants to file  
19 a responsive pleading to the amended complaint.

20 Dated: Dec. 7, 2006

SHEARMAN & STERLING LLP

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23 By:   
Azadeh Gowharrizi

24 Attorneys for Defendants David H. McCormick,  
25 Robert M. Calderoni and Ariba Inc.  
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1 Dated: Dec. 7, 2006

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17 Attorneys for Plaintiff Jonathan Crowell

18 ORDER

19  
20 IT IS SO ORDERED.

21 DATED: 12/12/06

Marilyn Hall Patel  
22 HONORABLE MARILYN HALL PATEL  
23 UNITED STATES DISTRICT COURT JUDGE  
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